

## II. CLAIM AMENDMENTS

1-34 (Canceled)

35. (Previously Presented) An isolated polynucleotide consisting of a nucleotide sequence encoding a polypeptide with an amino acid sequence consisting essentially of the sequence of SEQ ID NO: 2.

36. (Currently Amended) An isolated polynucleotide which encodes a polypeptide that is at least 95% identical to SEQ ID NO:2 and wherein said polypeptide has ~~essentially the same~~ pyruvate oxidase activity.

37. (Currently Amended) The isolated polynucleotide of claim ~~35~~ 36, ~~wherein said isolated polynucleotide has the nucleotide sequence of SEQ ID NO:1~~ or a degenerate variant thereof.

38. (Previously Presented) A vector comprising the isolated polynucleotide of any one of claims 35-37.

39. (Previously Presented) The vector of claim 38, wherein said vector is the plasmid pCR2.1poxBint.

40. (Previously Presented) A coryneform bacterium transformed with the vector of claim 38.

41. (Currently Amended) ~~A second isolated polynucleotide having a~~ A nucleotide sequence completely complementary to the isolated polynucleotide of any one of claims 35-37.

42. (Canceled)

43. (Currently Amended) An isolated oligonucleotide consisting of a fragment between 15 and 50 of 15-50 contiguous nucleotides in length and having a sequence identical to a segment of SEQ ID NO: 1.

44. (New) An isolated nucleic acid molecule comprising a nucleotide sequence selected from the group consisting of:

- (a) a nucleotide sequence as set forth in SEQ ID NO: 1;
- (b) a nucleotide sequence encoding the polypeptide as set forth in SEQ ID NO: 2;  
and
- (c) a nucleotide sequence complementary to (a) or (b).

45. (New) A vector comprising the nucleic acid molecule of claim 42.

46. (New) A host cell comprising the vector of claim 45.

47. (New) An isolated nucleic acid of claim 44 or a fragment thereof that encodes a polypeptide that has pyruvate oxidase activity.

48. (New) A vector comprising the nucleic acid molecule of claim 47.

49. (New) A host cell comprising the vector of claim 48.

50. (New) An isolated nucleic acid molecule that encodes a polypeptide that has the activity of pyruvate oxidase and hybridizes to the complement of the nucleic acid molecule of claim 42 under the following stringent conditions: a final wash of 0.5X SSC and 0.1% SDS at 68°C.

51. (New) A vector comprising the nucleic acid molecule of claim 50.

52. (New) A host cell comprising the vector of claim 51.